IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.GIRI

THURSDAY, THE 4TH OCTOBER 2007 / 12TH ASWINA 1929

WP(C).No. 26945 of 2007(G)

PETITIONER:

N.KANNAN, S/O NARAYANAN CHETTIAR,
ARYA SAMOOHAM, KIZHAKKENADA,
THEKKENADA P.O., VAIKOM, DIST. KOTTAYAM.

BY ADV. SRI.K.REGHU KOTTAPPURAM

RESPONDENTS:

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1. TRAVANCORE DEVASWOM BOARD,
REPRESENTED BY THE SECRETARY,
NANDANCODE, THIRUVANTHAPURAM.

2. THE DEVASWOM COMMISSIONER,
TRAVANCORE DEVASWOM BOARD,
NANDANCODE, THIRUVANANTHAPURAM.

3. THE ASSISTANT DEVASWOM COMMISSIONER,
VAIKOM GROUP, VAIKOM,
DIST. KOTTAYAM.

BY ADV. SRI.D.SREEKUMAR, SC, TDB

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 04/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

V. GIRI ,J.

WP(C).NO. 26945 of 2007

Dated this the Ist day of October, 2007

JUDGMENT

The petitioner challenges Ext.P6 order passed by the Devaswom Commissioner whereby he has been transferred out of the Vaikom Group and posted in the Neyyattinkara Group. Apparently, Ext.P6 was issued few days prior to the date on which Ext.P5 order was passed by the Devaswom Commissioner finalising the disciplinary proceedings against the petitioner. The petitioner was imposed with a punishment of barring of two increments with cumulative effect.

2. According to the petitioner, since the disciplinary proceedings have been finalised by bar of two increments with cumulative effect, there is no reason why the petitioner should be shifted out of Vaikom. He has moved the Devaswom Commissioner by Ext.P7.

3. Mr.Sreekumar, learned counsel for the Devaswom Board, on instructions, submits that the Board does not feel that it is appropriate to bring the petitioner back to Vaikom immediately.

3. After having heard the learned counsel for the petitioner and the Standing Counsel for the Devaswom Board, the writ

petition is disposed of directing the Devaswom Commissioner to take a decision on Ext.P7 with reference to the question as to whether it is necessary to keep the petitioner in Neyyattinkara itself or whether he could be accommodated in any other nearer place. A decision shall be taken in this regard within a period of two months from the date of receipt of a copy of this judgment.

V. GIRI, JUDGE

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